

## **EXHIBIT 5**

**David Corrigan**

---

**From:** Robert H. Smallenberg [rsmallenberg@metrolawva.com]  
**Sent:** Tuesday, May 10, 2011 5:16 PM  
**To:** David Corrigan  
**Subject:** Re: Friday

Ive asked her to call me tomorrow with a copy of Kyss' school schedule in hand. Will call you after I talk to her.

Still looking to get you the rule 26 disclosure and our answers to discovery by Friday.

Rob

Sent from my iPhone

On May 10, 2011, at 5:08 PM, "David Corrigan" <[dcorrigan@hccw.com](mailto:dcorrigan@hccw.com)> wrote:

Thanks. How soon can we do it if not Friday?

---

**From:** Robert H. Smallenberg <[rsmallenberg@metrolawva.com](mailto:rsmallenberg@metrolawva.com)>

**To:** David Corrigan

**Sent:** Tue May 10 16:27:29 2011

**Subject:** Re: Friday

I'm am out of office but my office informs me Sakia Hall called and said Kyss has the NJ equivalent of SOLs that day.

Will call you tomorrow.

Sent from my iPhone

On May 10, 2011, at 1:07 PM, "David Corrigan" <[dcorrigan@hccw.com](mailto:dcorrigan@hccw.com)> wrote:

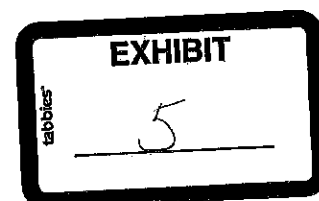
Are we on for this Friday for depositions, Rob?

Please let me know as soon as possible.

Thanks.

David

David P. Corrigan



Harman, Claytor, Corrigan & Wellman, P.C.

P.O. Box 70280

Richmond, Virginia 23255

Physical Address:

Innsbrook Corporate Center

4951 Lake Brook Drive, Suite 100

Glen Allen, Virginia 23060-6045

(804) 747-5200

(804) 762-8017

(804) 747-6085 - fax

email: [dcorrigan@hccw.com](mailto:dcorrigan@hccw.com)

web-site: [www.hccw.com](http://www.hccw.com)

This message is intended only for the named recipient and may contain information that is confidential, subject to attorney-client privilege, the work-product doctrine and other privileges. If the reader of this message is not the intended recipient, you are hereby notified that any use, dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by return email and delete the original message at once. Thank you.